

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNY OWENS, JR.,

Defendant.

CR-16-65-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on July 1, 2019. The United States accused Denny Owens, Jr. of violating his conditions of supervised release by: (1) using a controlled substance; (2) failing to complete his substance abuse treatment program; and (3) failing to complete his 90-day term at Connections West Inpatient Treatment Facility.

Judge Johnston entered Findings and Recommendations in this matter on July 2, 2019. (Doc. 62.) Owens waived his right to object to Judge Johnston's Findings and Recommendations. *Id.* at 4. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations.

Thomas v. Arn, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The admitted violations prove serious and warrant revocation of Owens's supervised release. Judge Johnston has recommended that the Court revoke Owens's supervised release and commit Owens to the custody of the Bureau of Prisons for a term of 9 months, with no supervised release to follow. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Owens's violations of his conditions represent a serious breach of the Court's trust. A sentence of 9 months custody, with no supervised release to follow represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 62) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Denny Owens be sentenced to 9 months custody, with no supervised release to follow.

DATED this 9th day of July, 2019.



Brian Morris
United States District Court Judge